



Atty. Docket No. CH919990050US1
(590.036)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Daniel Bauer et al.
Serial No. : 09/771,091 Examiner : V.K.T. Nguyen
Filed : January 27, 2001 Art Unit : 2661
For : RESTRICTIVE COSTS IN NETWORK SYSTEMS

November 22, 2004

RESPONSE

I hereby certify that this correspondence and any documents referred to as enclosed therewith are being deposited with the United States Postal Service as first class mail, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on November 22, 2004.

Stanley D. Ference III
Reg. No. 33,879

November 22, 2004
Date of Signature

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RECEIVED
DEC 01 2004
OFFICE OF PETITIONS

Sir:

This is responsive to the Notice of Allowability dated May 4, 2004, for the above-identified application.

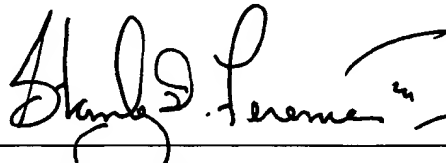
The Examiner has objected to Figures 1-2 and 7a-7g of the drawings. It is asserted Figures 1 and 2 should be designated by a legend such as – Prior Art – because only that which is old is illustrated. It is asserted that Figures 7a-7g lack suitable descriptive legends necessary for understanding of the illustrations. No section of the MPEP has been cited in support of the objection to Figures 7a-7g.

Attached hereto is a replacement sheet containing Figures 1 and 2 on which the legend – Prior Art – has been placed. Thus it is believed this objection has been obviated.

Applicants respectfully traverse the objection to Figures 7a-7g. As set forth in the application, "Figures 7a to 7g are schematic diagrams illustrating successive stages in operation of the cost matrix generation process". (Page 17, lines 5-6; see also Page 33, lines 16-17) Each of these figures is also individually described in detail in the application as follows: Figure 7a (Page 34, lines 1-4); Figure 7b (Page 34, lines 4-7); Figure 7c (Page 34, lines 8-14); Figure 7d (Page 34, lines 15 - Page 35, line 3); Figure 7e (Page 35, lines 4-8); and Figure 7g (Page 35, lines 8-12). Applicants respectfully submit that in view of the drawings themselves and the detailed discussion of each drawing in the application, Figures 7a-7g would be understood by one of ordinary skill in the art and this objection should be withdrawn.

It is thus submitted this application is now in condition for issuance. Notice to the effect is hereby earnestly solicited.

Respectfully submitted,



Stanley D. Ference III
Registration No. 33,879

Customer No. 35195
FERENCE & ASSOCIATES
400 Broad Street
Pittsburgh, Pennsylvania 15143
(412) 741-8400
(412) 741-9292 - Facsimile

Attachments

Attorneys for Applicants